

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:10-cr-23

UNITED STATES OF AMERICA)
)
)
) **ORDER OF FORFEITURE**
v.) **OF SUBSTITUTE RES**
)
)
KEITH FRANKLIN SIMMONS)
)
)

)

THE COURT FINDS AS FOLLOWS: On December 16, 2010, this Court entered a Consent Order and Judgment of Forfeiture for, amongst other properties, the real property at 643 East Hidden Mountain Lane, Crumpler, North Carolina. (Doc. 40). A sale has been negotiated for the aforementioned property and will generate approximately \$141,869.50 in net proceeds.

WHEREFORE, THE COURT ORDERS AS FOLLOWS:

1. Approximately \$141,869.50 in net proceeds of the sale of the real property at 643 East Hidden Mountain Lane, Crumpler, North Carolina is forfeited to the United States, pursuant to 18 U.S.C. § 981 and 982, and/or 28 U.S.C. § 2461, as a substitute res for the real property at 643 East Hidden Mountain Lane.
2. Upon the closing of the sale of the real property at 643 East Hidden Mountain Lane, the Government shall take possession and maintain custody of the net proceeds.
3. Upon receipt of the net proceeds, the Government shall file a copy of this Order in the register of deeds and this order shall serve as notice that the Government has forfeited net proceeds in lieu of any interest of the Government in the real property.
4. If and to the extent required by Fed. R. Crim. P. 32.2(b)(6), 21 U.S.C. § 853(n), and/or other applicable law, the United States shall publish notice and provide direct written notice of this forfeiture.

5. Any person, other than the defendant, asserting any legal interest in the property may, within thirty days of the publication of notice or the receipt of notice, whichever is earlier, petition the court for a hearing to adjudicate the validity of the alleged interest.

Signed: November 29, 2011



Robert J. Conrad, Jr.
Chief United States District Judge

